

App. F. IX-4

✓
1928.

Present
File No. 169-28

Previous References

Muz 375-27 (1st)
Muz 119-19 (20-24)
LB 82-24 (4, 6, 9 & 11)

Later References

LB 156-32 & 156-33

Serial Nos. 1, 2, 3, 4 & 5-

General and Revenue Secretariat.

Serial Nos. 5

Part B-for January 1930

SUBJECT

Apportionment of the Jatra collections of Sri Mallikarjuna
Swami Car Festival at Chopansi in Shikarpur Taluk between
the Distt. Board & the Temple authorities.

Al no 5) To the Muzrai Commr.,

LB 76 of 27. 1-30.

States that the A.C. Shrinagar & the Polt. Bd. Board
may be asked to settle the question equitably in
consultation with the Temple authorities etc.

Muz
15/3/30

Serial
No.

1

Letter No. 1649/17-28 of 7/8.6.29 from the Mysore Cantt in Mysore.

Recommended in the circumstances, explained, that the entire collections from the levy of 10 paise on shops opened during the Jatra held in connection with the Car festival of Sri Kallikarjunnaranni at Hogarni in the Chikmagalur Taluk, may be ordered to be distributed equally between the temple and the District Board instead of at $\frac{1}{3}$ and $\frac{2}{3}$ respectively as now existing, the expenditure on account of Sanitary and other arrangements being debitable to the District Board.

In G.O. No. 28468-9/L.B. 82-24-115 the 28th May 1925 sanction was accorded to the levy of 10 paise on shops during the Jatra annual Jatra held at Hogarni, Chikmagalur, Belagavi and Basavanandihalli in the Chikmagalur Taluk and ^{it was} directed that, after meeting the expenditure on account of Sanitary arrangements, from the total realisations from the said levy, a third of the balance ~~might~~ be paid to the Mysore Institution and the balance credited to the then Chikmagalur Taluk Board Fund.

2) The Mysore Cantt now states that the Mysore Dept does not seem to have been consulted when the above G.O. was issued and that it is more in connection with the Car festival of the deity that the Jatra is held and shops are opened in that, as much, the Institution

Serial
No.

is in justice entitled to the entire realisation
less the expenditure on account of Sanitary
and other arrangements as in the case of
jathas held in other places in the State in
connection with the festivals.

3 From the latest ~~Report~~ ^{Report} Administration
of the Nagrai Dept for 1927-28, (Statement II)
it is seen that the entire income ^{from} the jathas
~~less the expenditure for Sanitary and other~~
~~arrangements~~ has been credited to the temple
funds, and that no mention is made of
the credit of a portion of the income, if any to
District Funds, though there is a column for the
above item in the said Statement. Even in the case,

11 It was not possible to trace out the precedent
to the present case in this office.

5 Whether the Nagrai Govt may be advis-
ed to quote the precedents ~~for~~ in verification
of his statement above made or whether his
proposal to modify the G.O of the 28th May, 1925
may be sanctioned,
is for orders.

12/6/28 The whole thing hinges on whether
the temple had a vested
right and whether the Dist.
Bd or the former Taluk Bd
interfered with it. In Sdly
in vol. 15 B-24 it is stated
that the rate proposed is
in accordance with that

A of the jathas at
Nagrai, 2/3rd of the
collections payable
to the Bd has not
been entered in the
Sdly

Serial
No.

existing meaning thereby that the levy was being made prior to the interference by the Taxation Board of the temple perhaps had a vested right. As such the money collector's demand has perhaps to be acquiesced in

By
25/6

7) Simply because the Jatra is held at the time of the fair festival, the temple cannot claim to have a claim, as of right, to the realizations from taxes on shops. Such a right, ~~as~~ ^{big} does not appear to exist in the case of general temples, ~~for which~~ and the Maz. Branch may perhaps be consulted on this point. The temple has been given a fair proportion of the receipts already. If on merits, the temple is entitled to the entire realizations, it is not clear why the M.C. should propose that the realizations may be distributed equally between the temple and the Dist Board,

Aug 8/7/29

By

8) Consult Mazraai Branch in regard to the procedure observed generally in the case of temples in connection with which Jatra are held.

By

5/7

Serial
No.

Sub

Muz. Manual.

Page 132. (Jabab.)

9) It is the car festival of a deity that attracts crowds of people on the occasion. Consequently whatever fees that are ordered to be levied, at the place or shops, shows, cautions etc are the perquisites of the temple. As the sanitary ideas developed, some expenses were ordered to be incurred for sanitary arrangements. On equitable grounds, the temple fund was made to contribute a quota to the expenses. So it is only with cause, that the temple must be made to contribute.

10) In the present case the muzrai Branch has not been consulted at all though noted open. Before the issue of G.O. of 28.5.25. The order, it is respectfully submitted, ~~app~~ is passed on the receipt of the letter from the President, St. Board Shriioga - It is for order now to reconsider the question in the light of the muz. Comm's, recommendation & revise the order.

LW

7/7

The linked file
flag G

P.U.D

The principle of the fund or
approximation of the fund
has been discussed recently
in the P.U. 1. With the
J.P. 1. The P.U. 1. The P.U. 1.
as was the P.U. 1. The P.U. 1.
of the P.U. 1. The P.U. 1.
occurred was discussed
recently

Serial
No.

2

Letter No. 2205/28-2p8 2/3. 7. 29 from the
Muzrai Com^r in Mysore.

Forwarded in continuation copy of letter
H.P. Mys. D. C. 1896/12-280 27. 6. 29 from the
Dep Com^r Shimoga Dist requesting sanction
to Credit the entire collections during the
Jatra on the occasion of the annual
car festival at Shoganni in the Mithapur
Taluk to the temple funds.

The Muzrai Com^r's previous letter
(5533/LB 169-28-2) proposing the distribu-
tion of the Jatra collections equally between
the District Board of Shimoga and the temple
at Shoganni was subd to the General Secy
on 4. 7. 29.

If apptd, this may also be subd to Com^r

By
9. 7. 29

I think this is referred
to the Mys Dist. to which this may
be sent. Please verify & do needful

22

107

Muzrai B^r) This case is being dealt with
in the K. S. of Branch.

417/29 Jim
2/11.

12-11-1929
MUSGRAVE
10-56

ml

Serial
No.

11) The question of allocation of the gatra collections between ~~the~~ temples and local bodies was discussed in Mysore file no. 119-19 and in this office letter no 1756/ Mys 119-19-24 dated the 19th March 1927 the Mysore Commission was informed that in cases of the kind in question "it is not expedient to lay down hard and fast rules and that each case may be settled equitably by the Deputy Commr in consultation with the District Muzard and the Dharmadarsis of the temple, and that in cases where an agreement is not reached, the orders of Government should be sought."

The file on the subject ~~was taken~~ has been taken by the L.S.G. Branch for no 4059 on 14.3.29 and is therefore not available for being put up here.

12) The question of Chunchanakatta gatra was, it is learnt, dealt with in the L.S.G. Branch & these files may, if approved, be ~~referred~~ returned to the L.S.G. Branch for further action.

C.S.

16/7/29 WWD

WD 01684-GPB-30/10-29-29

Paper marked
in L.B. file no
227-27-30c

Serial
No.

13)

Referred for orders with Mysrai
Files 119-18 46 20-24 and 375-27
46 1-12 as personally directed
C.B.

18/11/29

Wm

18/7

14)

The Mysrai recommends
that $\frac{1}{2}$ the collection realised out of
shop tax levied in connection with
the Jatra of Muthaiajaneswari
at Thoparai in Shikharpon may be
given to the temple in modification
of the C.O. No. ~~284~~ 84 (8-5) LB 82-24-11
82/57-15 directing the payment of $\frac{1}{3}$
of such realisations to this as well as
certain other temples with which also
jathas are held and $\frac{1}{3}$ to the temple
after meeting the expenditure on sanitation
on the ground that the arrangement
was not made in consultation with
the Mys Deptt & the shops are held
more on account of the temple ~~taxes~~ which
should get the whole proceeds less the
cost of sanitary arrangements.

15)

It will be seen from paras 42 to
53 of the Rules in Mys File 118 of 29 that
temples are not entitled to levy shop
tax ~~on~~ jathas and that they can
only proceed as provided the
shops are held on the grounds belonging

Wm
h

Serial
No.

1 The temple and the issue of houses
for such temporary shops rests with
the local Bd. The Muz. does not
seem to have considered this aspect
of the case.

(b) before further dealing with the
case it may be ascertained whether
whether shops are held on the ground
belonging to the temple or otherwise.
In the latter event, the order passed
is quite equitable, ~~and therefore~~, the
temple will not be entitled to shop
realisations at all. ; Moreover the
order may have to some extent
the temple to pay ground rent only
on shops held on temple ground &
the rest of the realisations will have
to go to the Dist Bd at present on
account of the abolition of Taluk
Bd & houses for ^{manipulating} ~~manipulating~~ are covered
by Dist Bd.

Ind. Secy.
El Secy.

22/7/28

I agree.

Bu

20/7

17 27/7/28 Enquiry as to A may be made

27/7/28

18 27/7/28

Serial
No.

19 Draft is subd for affl.

The
4/8/29 K. S. R. S.20) Don
ND
2/8

3 Letter no 21015 dated 6-8-1929

To The Muzrai Commissioner in
Mysore.

Calls for information as to the
nature and ownership of the lands
on which the shops are held during
the Jatra in connection with the
Car-festival of Sri Mallikarjuna Swami
at Thoyarsi in the Shikarpet
Taluk.

Muzrai Commissioner no
2205 D 28.11.29. forwards
copy of letter D 28.10.29
from D. C. Shimoga reporting
that the no shops are located
on temple lands and the
shops are held on bidvali
vacant land or Govt land
in the village.

21. Subd with ref to
paras 16 & 17 supra

The 22 To the shops are held
5/12/29 on their ground. ~~the~~ than than
belonging to the temple, the temple is
not entitled to any more benefit

S. K.
9/8/29
5/12/29
Df
H

Serial
No.

23 The Muz & will therefore have
to be informed that the ~~advisory~~
order is quite equitable and that
no ground exists for revision thereof
and payment of a higher share
to the temple. From the Jaha realisations

(Hwy)

MD
7/12

21875-
27-12-28.

7384

24

24

I agree in the view expressed at A.
The Muz Comm- wants half the collections to be
transferred to the temple, the Dist Board being
permitted to retain the other half and
bear the entire expenses in account of sanitation.
There is neither rule ^{quoted} nor precedent to support
this proposal, the levy of tax being sanctioned
5% at the instance of the Dist Board only
about 4 years ago -

25

The most desirable course to adopt is that
discussed in para 11 of the note supra.

26

The Dy Comm- and the District Board
may come to an equitable arrangement in this
matter, in consultation with the Dharmadars
of the temple, satisfactory arrangements being
made for the sanitary and other requirements of
the people visiting the Jatra; after action is
taken as suggested in an letter of 19th March 1927,

for may be approached, if any for settling

WD-066-GPB-30,000-26-7-29

points of difference -

This an d. s. g. case. Submitted for perusal
before return to the concerned branch.

28 Agree with the
the Jaha has been going on for the
one stated in 1887
few years ago -

1074/30

5 DEC. 1928
No. 3731.

NOTE-Contn. sheet.

5853
101

2nd Member

27
25/12/28
26/12/28
1-11

26/2/11

29/5

General and Revenue
Secretariat

LB

File No. 169

of 1928

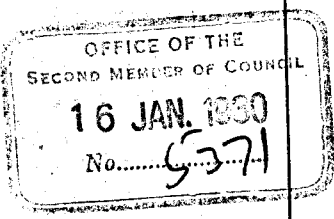
Serial
No.

30

Draft put up

13.1.30 2nd Member

1571



188
20/1/30
Jm
W
20/1

5- Mr. Commissioner no
45676 D 27-1.30. States that
The Deshmogt the D. B. D
may be asked to settle the
question equitably in conflict
taken with the temple
Shamudwar, & that Govt
may be approached later
on if necessary etc

B

28/1

28

30 JAN 1930

L. S. B. BRANCH

Rev. 3/16/29
No. 1649
27-8

REV. SEC.
5538
6.11 JUNE 1929

FROM

P.G.D'Souza, Esq., B.A., B.L.,
~~The~~ Muzrai Commissioner in Mysore.

L. S. u. B...

L B-169-28-1

TO

B.Narayanaswamy Iyengar, Esq., B.A., B.L.,

Secretary to the Government of

His Highness the Maharaja of Mysore,

General Department.

SIR,-

I have the honor ~~to~~ state that the temple of Sri Mallikarjuna-Swami at Thogarasi in the Pelagavi Hoble of the Shikaripur Taluk is a Muzrai Institution endowed with inam lands in the same Village.--- A Jatra is held in connection with the ~~car~~ annual car-festival of the deety under the authority of G.O.No. L.8468-S/IP.82-24-11 dated 28-5-25 taxes on shops are being levied, out of the realisations there from two thirds are taken away by the District Board the remaining --- third which only is allowed to the temple, the expenditure on account of sanitary &c. arrangements being divided between the two in the same proportion.

2. In this connection, I beg leave to state that the Muzrai Department does not seem to have been consulted when this arrangement to --- credit only one third of the proceeds to the temple funds was sanctioned by Government in the Local and Legislative Department. It is more in connection with the car-festival of the Deety that the Jatra is held and shops are opened and as such the institution is ⁱⁿ justice entitled to the entire realizations less the expenditure on account of sanitary and other arrangements as in the case of Jatras held in other sacred places in the State in connection with the festivals of the temples. It seems to me therefore unfair that ~~two-thirds~~ two thirds of the realizations should in this case be taken away by the District Board and only one third left to the temple. I therefore beg to recommend that in modification of the orders conveyed in the above proceedings, sanction may be accorded to divide the entire realizations at least equally

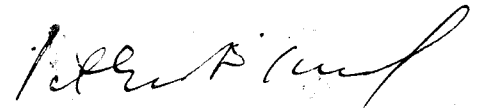
equally between the Temple and the District Board, the expenditure on --
account of sanitary and other arrangements being debitable to the latter.

The favour of early orders is solicited.

I have the honor to be,

Sir,

Your most obedient servant,



Muzrai Commissioner.



Bangalore,.....2nd July.....,1929.

No. 2205 *En*
28-9.

FROM

P. G. D'Souza, Esq., B.A., P.L.,
The Muzrai Commissioner in Mysore.GEN. & REV. SECY.
114
5 JUL 1929

L. S. G. BRANCH.

To

The Secretary to the Government of

His Highness the Maharaja of Mysore,

General Department.

SIR,

SS 33
In continuation of this office letter dated 8th June 1929 re
Jatra collections on the occasion of the annual ~~ra~~hotsava at -----
Togarsi in the Shikaripur Taluk, I have the honor to forward herewith
copy of letter No.Muz.I.C.1395/27-28 dated 27th June 1929 from the
Deputy Commissioner, Shimoga District, requesting that in modification
of the arrangement ordered in Government Pro.No.L.8468-9/L.B.32-24-11
dated 28th May 1925, sanction of Government may be obtained to credit
the entire collections during the above Jatra to the funds of the -
institution and to solicit the favour of early orders on the proposals
contained in my letter of the 8th June 1929.

I have the honor to be,

Sir,

Your most obedient servant,

P. G. D'Souza

Muzrai Commissioner.

Letter No.Muz.1.G.1895/27-28 dated 27th June 1929 from the Deputy Commissioner, Shimoga District to the Muzrai Commissioner in Mysore.

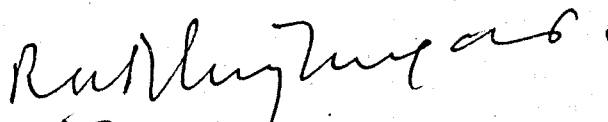
Sri Mallikarjunaswami at Togarsi-Shikaripar Taluk-Jatra Collections.

I have the honor to state in G.O.No.L.8468-9 L.B.32-284-11 dated - 28th May 1925, Government have sanctioned the proposal of the President, District Board, Shimoga that in connection with the Jatra at Togarsi, one third of the realisation therein after meeting the expenditure on account of Sanitary arrangements be credited to the funds of the Muzrai institution at the place and the remaining two-thirds to the funds of the Taluk Board. Since the abolition of the Taluk board the said --- balance is being credited to the district Board Funds.

2.In this connection I have the honor to state that the whole realisations during the Jatra at Chandragutti (held as an adjunct to the car Festival of Sri Renukamba temple) are being credited to the funds of the institution. It is but fair that the case of the temple under reference should also be dealt with similarly. I request that you may kindly make a reference to Government in this matter and obtain sanction to credit the entire collections during the Jatra to the funds of the --- institution, the expenses of sanitary arrangements being met from the said income.

3. When I was touring in the Annavatti Hobli recently, some of the -- devotees of the temple brought this fact to my notice and submitted -- that the entire proceeds might be credited to the temple, as in other institutions.

"C o p y"


For Muzrai Commissioner.

SUBJECT.....

Diary No. of letter replied to.....5533L

Section L.B.

File No. 169-98

Serial No. 3

No. L1015

General and Revenue Secretariat

(L.S.G)

the

192

To

The Deputy Commissioner,

Date of issue.....6.8.29

Sir,

With ref to your letter no.

Signed by.....Mr. D. K. S. Dey

1649/27-989 (the 7th) 50 June 1929

regarding the equal distribution
of the ~~patra~~ collections made for
during the jatra held in connection
with the car-festival of Sri
Kullikarjuna Swami at Thopani
in the Shikharpu Taluk between
the temple and the District Board
of Shimoga. I am directed to
request you to be so good as to
ascertain and intimate whether

List of enclosures.....

Copied by

Examined by

over

located

Shops are held on the grounds

belonging to the temple or ~~elsewhere~~ ^{where they are held on their} lands & who own the
lands. Information
as to the name and
ownership of the lands
on which the shops
are held may be given.

I have to

Saul See

for
11/8/28

2/8

M. C. 13]

OFFICE OF THE MUZRAI COMMISSIONER IN MYSORE,

Bangalore, 26th November 1929.

No. 2205 *202 file*
28-9

L.B. 169-28-4

GEN. & REV. SECT.
2962
29 NOV. 1929
L. S. G. BRANCH

FROM

Rajakaryapravina
P. G. D'Souza, Esq., B.A., B.L.,

The Muzrai Commissioner in Mysore.

To

B. Narayanaswami Iyengar, Esq., B.A., B.L.,
Secretary to the Government of His
Highness the Maharaja of Mysore,

General Department.

SIR,

Referring to your letter No.L 1050/L.B.169-28-3 dated 6th -
August 1929 re the distribution of the collections made on the ---
occasion of the annual Jatra at Togarsi in the Shikaripur Taluk ---
between the temple of Sri Mallikarjunaswami and the District Board -
I have the honor to forward herewith copy of letter No.Muz.1.C.1895
of 27-28 dated 28th October 1929 together with its enclosures from
the Deputy Commissioner, Shinoga District, furnishing the information
required in your letter under reply and to solicit the favour of
early orders on the proposals contained in my letter of the 3rd July
1929.

I have the honor to be,

Sir,

Your most obedient servant,

[Signature]
Muzrai Commissioner.

[Initials]

Letter No.Muz.i.C.1895/27-28 dated 23th October 1929 from the Deputy Commissioner, Shimoga District to the Muzrai Commissioner in Mysore.

With reference to your Memo No.2205/28-29 dated August 1929 forwarding a copy of letter No. ~~L~~-1015/L.B.169-28-5 dated 6th August 1929 from the General Secretary to Government, calling for certain particulars regarding the nature of ownership of the lands on which the shops will be located during the Jatra at Thogarsi in the Shikarpur Taluk on the -- occasion of the Car Festival of Sree Mallikarjuna Devaru, I have the honor to state, that the Amildar Shikarpur Taluk reports that no shops are located on the land belonging to the temple, that most of the shops are held either in the hiduvali vacant land within the gavathana or -- hiduvali land S.Nos.51, 64 and 71 of Togarasi village lying in continuation of the gavathana and that some shops are kept on Government land -- within the gavathana. A sketch of the locality ~~were~~ where Jatra takes place and the list of sites where shops are located prepared by the Revenue Inspector are sent herewith.

2. I request that early orders of Government may kindly be -
obtained to the proposal contained in my letter dated 26-6-1929
to credit the entire collections of the jatra to the funds of the
institution, the expenses of sanitary arrangements being met out of
the said collections as is done in the case of other institutions.

"C o p y"

Ras Muzrai
For Muzrai Commissioner.
M

SUBJECT.....

Diary No. of letter replied to.....

Section

File No.

Serial No.

No. L. 57676 Encl. Record

General and Revenue Secretariat

the

192

To

The Muzcomr.

Date of issue..... 27-1-1930.

Signed by... Mr. T. K. S. 24/1

List of enclosures.....

Copied by.....

Examined by.....

Sir

With reference
to the attending with
to your letter No.

2205 D 28-11-29,

recommending
that ~~that~~ the ^{shop tax} collection

made at the Jatra
held in connection

with the car festival

of Sri Mallikarjuna

Swami at Hogarasi

in the Shikharpari

over

may be divided equally,
between the temple & the
Dist. Bd instead of at
one third & two thirds
respectively as ~~at present~~ ^{present} ~~done~~,
I am directed to invite
reference to ^{Herby's} letter no
1756 dated 11-19-24 D. 19-3-1927
addressed to you ^{about} ~~stating~~
~~that it is not expedient~~
the allocation of Jatra
collections between the
Mud. Bd & the Dist. Bd
and to request that as
instructed in the said
communication, the Dy
Commr of the ^{Shimoga} Dist & the Dist
Bd may be requested to
come to an equitable arrange-
ment in the matter in
consultation with the
Shamadas of the
temple, satisfactory
arrangements being also
made for the Secretary &

G. R. S. G/33]

GENERAL AND REVENUE
SECRETARIAT.

(Continuation sheet draft form.)

and others require
enacts of the people
visiting the Jatra.
Good many have
approached, if necessary
later on for settling
points of difference
if any.

2. The records
received with your
letter are herewith
returned.

I have etc

~~15/1~~ 13/11/20
B. G. S. S. S.

No. L. 5677, 27-1-1932
I come to Dec.

Post to British Nagar
for information

By order

M

For Secretary

13/11/20

Ch. to Mr. K. S. S. S.

M

13/11/20